



TOWN OF LOS GATOS
PLANNING COMMISSION MEETING
ACTION MINUTES
TOWN COUNCIL CHAMBERS
110 E. MAIN STREET
WEDNESDAY, JANUARY 10, 2007 -- 7:00 P.M.

Please refer to compact disk # 01-10-07 to hear the entire proceedings of this meeting.

ROLL CALL:

Present: Joanne Talesfore, Chair; D. Michael Kane, Vice Chair; John Bourgeois, Phil Micciche, Thomas O'Donnell, Stephen M. Rice and Marico Sayoc

Absent: None

Others: Assistant Community Development Director Randy Tsuda, Associate Planners Joel Paulson and Suzanne Davis, Project Planner Curtis Banks, Associate Civil Engineer Fletcher Parsons and Town Attorney Orry Korb

SUB-COMMITTEE REPORTS

Commissioner Rice – commented on the Conceptual Development Advisory Committee agenda item for a proposed office building on Winchester Boulevard.

VERBAL COMMUNICATION

Larry Arzie Welcomed new Commissioner Sayoc to the Commission and urged her to read the General Plan. Commented on recent action of the Town Council and Powell's Sweet Shoppe to overturn the Commission's decision. Expressed concern about the loss of retail in the Downtown.

Ray Davis Welcomed new Commissioner Sayoc and thanked former Commissioner Quintana for her service. Also commented on large home on Chirco Drive which is not compatible with the neighborhood. Forming a new group called the Coalition for Los Gatos Values.

APPROVAL OF MINUTES

December 13, 2006 – Motion by Commissioner Kane and seconded by Commissioner Bourgeois to approve meeting minutes. Passed 5-2 with Commissioners Micciche and Sayoc abstaining.

CONSENT CALENDAR - NONE

CONTINUED PUBLIC HEARING

ITEM 1 **23-27 N. Santa Cruz Avenue**
Architecture and Site Application S-07-12
Conditional Use Permit U-07-09

Requesting approval of exterior modifications to a commercial building and to modify an existing conditional use permit to allow expansion of an existing restaurant (Vittoria) and a change in alcohol service on property zoned C-2. APN 510-44-033, 034, and 035.

PROPERTY OWNER/APPLICANT: Santa Cruz Real, LLC

PUBLIC TESTIMONY by Sal Giovannotto, Lou Dorcich, Larry Arzie and Ray Davis.

MOTION: Motion by Commissioner Bourgeois and seconded by Commissioner Rice to deny Conditional Use Permit U-07-09 pertaining to the expansion of the restaurant. The Commission found the proposal inconsistent with the intent of Town Ordinance No. 2021. Motion passed 7-0.

MOTION: Motion by Commissioner Rice and seconded by Commissioner Bourgeois to recommend denial of Conditional Use Permit U-07-09 pertaining to full liquor service. The Commission noted that the applicant stated he no longer needed approval for full liquor service since his request to expand the restaurant was not approved. In addition, the applicant refused to put evidence on the record supporting his application. Motion passed 7-0.

MOTION: Motion by Commissioner O'Donnell and seconded by Commissioner Micciche to deny Architecture and Site Application S-07-09. The Commission stated the design was no longer applicable since the restaurant expansion was not approved. The Commission also noted that it was difficult to approve the application without a more concrete proposal on the future tenant for the retail space. Motion passed 7-0.

Appeal rights recited by Mr. Korb.

NEW PUBLIC HEARINGS

ITEM 2 **237 Almendra Avenue**
Conditional Use Permit U-07-012

Requesting approval to convert an office to a single family residential unit on property zoned O-LHP. APN 510-10-040.

PROPERTY OWNER: Thomas Davies Family Partnership

APPLICANT: Clyde Stitler

245 Almendra Avenue

Conditional Use Permit U-07-017

Requesting approval to convert an office to a single family residential unit on property zoned O-LHP. APN 510-14-041.

PROPERTY OWNER: Thomas Davies Family Partnership

APPLICANT: Clyde Stitler

Item 2 pulled from the agenda due to an invalid application.

ITEM 3

25 E. Main Street

Conditional Use Permit U-06-005

Requesting approval to modify a Conditional Use Permit (i gatti's) to allow the service of full liquor on property zoned C-2. APN. 529-28-037

PROPERTY OWNER: Hoo Gee Hom

APPLICANT: i gatti Italian Bistro, Inc

PUBLIC TESTIMONY by Neda Mansoorian.

MOTION: Motion by Commissioner O'Donnell and seconded by Commissioner Micciche to recommend approval of Conditional Use Permit U-06-005 and forward to Council for final consideration.

Motion carried 6-1 with Commissioner Kane dissenting.

Appeal rights recited by Mr. Korb.

ITEM 4

14855 Oka Road

Six month review of the Conditional Use Permit for the Jewish Community Center.

PROPERTY OWNER: Addison-Penzak Jewish Community Center

PUBLIC TESTIMONY by Ray Davis.

MOTION: Motion by Commissioner Kane and seconded by Commissioner Bourgeois to accept six month review of the Conditional Use Permit. The Commission requested that staff verify the applicant is in compliance with Condition 7 of the Conditional Use Permit.

Motion carried 7-0.

- ITEM 5 **Recommend the Town Council adopt a resolution implementing the Santa Clara Valley Water Resources Guidelines and Standards for land uses near streams.**

PUBLIC TESTIMONY – Ray Davis

MOTION: Motion by Commissioner Bourgeois and seconded by Commissioner Micciche to accept the report with additional technical comments that may be provided by Commissioners Bourgeois and Sayoc and forward to Town Council for final consideration. The Commission noted that the CEQA process may require greater setbacks and/or mitigation measures than contained in the Guidelines and Standards.

Motion carried 7-0.

CONTINUED OTHER BUSINESS - NONE

NEW OTHER BUSINESS

Report from Director of Community Development - None

Commission Matters – Commissioner Kane requested the term of Commissioner Micciche's appointment to Planning Commission be corrected.

ADJOURNMENT

Chair Talesfore adjourned the meeting at approximately 9:15 P.M.

TOWN OF LOS GATOS PLANNING COMMISSION
January 10, 2007

Joanne Talesfore, Chair

APPROVED AS TO FORM AND ATTEST:

Randy Tsuda
Assistant Director of Community
Development

Bud N. Lortz
Director of Community Development